

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TIMAERO IRELAND LIMITED,

Plaintiff,

v.

THE BOEING COMPANY,

Defendant.

No. 2:21-00488-RSM

UNOPPOSED MOTION FOR LEAVE TO
FILE PLAINTIFF'S REDACTED THIRD
AMENDED COMPLAINT AND

ORDER

Defendant The Boeing Company ("Boeing") respectfully moves the Court to grant Plaintiff Timaeero Ireland Limited ("Timaero") leave to file a redacted version of its Third Amended Complaint and maintain the unredacted copy under seal. The proposed redactions seal only about 12 lines out of a 116-page complaint and are necessary to protect Boeing's confidential business information. The proposed redacted Third Amended Complaint for filing is attached as Exhibit A. Plaintiff does not oppose the redactions in Exhibit A.

PROCEDURAL HISTORY

This motion follows on the parties' prior request to seal the recently filed Third Amended Complaint, which the Court granted on July 15, 2024. *See* ECF No. 151. Ulrike Connelly, on behalf of Boeing, and Alan Harrison, on behalf of Timaero, conferred again via email on June 18-19, 2024. Counsel for Timaero represented that Timaero does not oppose Boeing's proposed

UNOPPOSED MOTION AND ORDER FOR
LEAVE TO FILE TIMAERO'S REDACTED
THIRD AMENDED COMPLAINT (NO. 2:21-
00488-RSM) – 1

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redactions of minimal portions of the Third Amended Complaint, which is the least restrictive means of protecting Boeing's contractual information.

LEGAL STANDARD AND ARGUMENT

This unopposed motion adopts and incorporates by reference the parties' Stipulated Motion for Leave to File Third Amended Complaint Under Seal at ECF No. 147. For the reasons set out in the Stipulated Motion, the two particular contract terms of the Aircraft General Terms Agreements and Letter Agreements summarized in Timaero's Third Amended Complaint—specifically at paragraphs 369 and 371-73—should be redacted in the public filing. The specific sections to be redacted either disclose (1) termination provisions or (2) amounts owed under the contract, both of which are material terms of confidential contracts negotiated between Boeing and one of its customers. Such information is maintained as highly confidential in the normal course of Boeing's business and the disclosure of such information would damage Boeing's ability to negotiate similar terms with other customers. *See* ECF No. 147.

Redacting portions of four out of the Third Amended Complaint's 375 total paragraphs (less than 1% of the Third Amended Complaint) is the least restrictive method available to ensure protection of Boeing's confidential and sensitive information. *See* LCR 5(g)(3)(B)(iii) (requiring the least restrictive method to ensure protection of material to be sealed). Because there are no less restrictive alternatives available, the parties agree that these limited redactions are appropriate.

CONCLUSION

For the foregoing reasons, Boeing respectfully requests that this Court grant Timaero leave to file a redacted Third Amended Complaint, attached as Exhibit A, leaving sealed only small portions of four paragraphs that disclose the contents of Boeing's proprietary business contracts.

1 RESPECTFULLY SUBMITTED this 19th day
2 of July, 2024.

3 I certify that this motion/memorandum con-
4 tains 412 words, in compliance with the Local
5 Civil Rules.

By: s/ Ulrike B. Connelly

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ORDER

Based upon the foregoing Unopposed Motion, the Court hereby:

ORDERS, ADJUDGES AND DECREES that the redacted copy of Plaintiff Timaero's Third Amended Complaint may be filed on the docket. The Court orders the original Third Amended Complaint be maintained under seal.

IT IS SO ORDERED.

DATED this 23rd day of July, 2024.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE